

Title 196 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 2 - POTENTIAL PROBLEM AREAS; IDENTIFICATION, STUDY, AND PRIORITIZATION

001 If the Director has reason to believe that (1) contamination of ground water is occurring, or likely to occur in the reasonably foreseeable future, or (2) the natural resources district or districts in which the area is located have not designated a management area or have not implemented adequate controls to prevent such contamination from occurring, the Department shall identify the area as a potential problem area.

002 Each State agency and political subdivision shall promptly report to the Department any information which indicates that contamination is occurring. Such documentation should be in letter form explaining the ground water contamination potential. The Department will preliminarily investigate this information and any other information available, including studies by the Department, and the evaluation of areas regarding the potential for ground water contamination.

003 The Department shall, in cooperation with any appropriate State agency and district, conduct a study of identified potential problem areas. The purpose of the study shall be to determine the source or sources of contamination and the area affected by such contamination. The Department shall consider the relevant water quality portions of the management plan developed by the respective district pursuant to Neb. Rev. Stat. § 46-656.12 to 46-656.16, whether the district has designated a management area encompassing the area studied, whether the district has adopted any controls for the area, and any other relevant information that district may have during the study. The Department shall issue a written report within one year of the initiation of the study. The study of identified potential problem areas will be initiated as departmental resources allow.

004 To utilize departmental resources fully, identified potential problem areas shall be prioritized (ranked) based on factors including but not limited to vulnerability to nonpoint source ground water contamination, existing ground water quality, whether or not a management area has been or will be established, and other administrative factors. Additional factors identified by the Department may be considered as necessary.

Enabling Legislation: Neb. Rev. Stat. §§ 46-656.35 and 46-656.36

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